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Agenda item 64
Promotion and protection of human rights

Letter dated 10 December 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

In my capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, I have the honour to enclose herewith the Declaration of the Coordinating Bureau of the Non-Aligned Movement on the commemoration of the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights (see annex).

Furthermore, I kindly request that the aforementioned document be circulated as a document of the sixty-third session of the General Assembly under agenda item 64.

(*Signed*) Ileana **Núñez Mordoche**
Ambassador
Chargé d'affaires a.i. of the Permanent Mission of Cuba
to the United Nations
Chair of the Coordinating Bureau of the Non-Aligned Movement

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Annex to the letter dated 10 December 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Cuba to the United Nations addressed to the Secretary-General

Declaration of the Coordinating Bureau of the Non-Aligned Movement on the commemoration of the sixtieth anniversary of the adoption of the Universal Declaration of Human Rights

New York, 10 December 2008

1. The Non-Aligned Movement welcomes the commemoration of the 60th Anniversary of the adoption of the Universal Declaration on Human Rights, as a common standard of achievement for all peoples and all nations.

2. The theme chosen last year for the campaign towards this commemoration, "Dignity and Justice for All", reflects adequately the spirit of the wish and the commitment of all members of the Non-Aligned Movement to contributing to a world free from injustices, where dignity and respect is a reality for all human beings, without distinction as to as to race, sex, language, religion or social origin.

3. Bearing this in mind, the Non-Aligned Movement wishes to highlight once again the importance of implementing all the human rights elements contained in the principal documents guiding the positions of NAM, in particular the Final Document of the 14th Conference of Heads of the State and Government of the Non-Aligned Movement in Havana, Cuba, 11-16 September 2006 as well as the Final Document of the recently held 15th Ministerial Conference of the Coordinating Bureau of the Non-Aligned Movement in Tehran, Islamic Republic of Iran, 29 and 30 July 2008.

4. The Non-Aligned Movement reaffirms and underscores the Movement's abiding faith in and strong commitment to its Founding Principles, one of which is the respect for fundamental human rights and for the purposes and principles of the Charter of the United Nations.

5. The Non-Aligned Movement reaffirms the significant importance attached by the Movement to the promotion and protection of human rights and commitment to fulfill obligations to promote universal respect for, and observance and protection of all human rights and fundamental freedoms for all, in accordance with the UN Charter, other instruments relating to human rights, as appropriate, and international law, as clearly stated in the outcomes of all its Conference Summits and Ministerial meetings, including the Havana Summit in September 2006.

6. The Non-Aligned Movement reaffirms further that all human rights, in particular the right to development, are universal, inalienable, indivisible, interdependent and interrelated, and that human rights issues must be addressed within the global context through a constructive, dialogue-based approach, in a fair and equal manner, with objectivity, respect for national sovereignty and territorial integrity, non-interference in the internal affairs of States, impartiality, non-selectivity and transparency as the guiding principles, taking into account the political, historical, social, religious and cultural particularities of each country. In this regard, they reiterated the Movement's dismay and unequivocal condemnation of gross and systematic violation of human rights and fundamental freedoms and situations that constitute serious obstacles to their full enjoyment, as well as violent acts and activities that infringe upon their full enjoyment.

7. The Non-Aligned countries takes this opportunity to re-emphasize that the exploitation of human rights for political purposes, including selective targeting of individual Countries for extraneous considerations, which is contrary to the Founding Principles of the Movement and the UN Charter, should be prohibited. They urge that, in the discussions on human rights, adequate attention be given to the issues of poverty, underdevelopment, marginalization, instability and foreign occupation that engender social and economic exclusion and violation of human dignity and human rights, which cannot be divorced from any meaningful discussion relating to human rights.

8. The Non-Aligned Movement stresses the fundamental and inalienable right of all peoples, including all non-self governing territories, as well as those territories under foreign occupation and colonial or alien domination to self determination, the exercise of which, in the case of peoples under foreign occupation and colonial or alien domination, remains valid and essential to ensure the eradication of all these situations and to guarantee universal respect for human rights and fundamental freedoms.

9. The Non-Aligned Movement reaffirms that democracy and good governance at the national and international levels, development and respect for all human rights and fundamental freedoms, in particular the right to development, are interdependent and mutually reinforcing. Adoption, for any cause or consideration, of coercive unilateral measures, rules and policies against the developing countries constitute flagrant violations of the basic rights of their populations. It is essential for States to promote efforts to combat extreme poverty and hunger (MDGs 1) as well as foster participation by the poorest members of society in decision-making processes.

10. The Non-Aligned countries reiterate the need for efforts to further strengthen and promote respect for human rights and fundamental freedoms and for the establishment of democratic institutions and sound economic policies responsive to the needs of the people. In this context, they also reiterate the need for the core principles, such as equity, non-discrimination, transparency, accountability, participation and international co-operation, including partnership and commitments in the international financial, monetary and trading systems, and full and effective participation of developing countries in decision-making and norm setting.

11. The Non-Aligned Movement has agreed on measures such as promoting and protecting all human rights and fundamental freedoms for all peoples, in particular the right to development, and providing an effective framework thereof including remedies to redress grievances on or violations of human rights and fundamental freedoms in accordance with the relevant Founding Principles of the Movement, the UN Charter and international human rights instruments, consistent with the obligations of States regardless of their political, economic and cultural systems.

12. The 60th anniversary of the Universal Declaration provides an opportunity for the international community to reflect on the complex situations that we are witnessing every day in our world, which affect the full enjoyment of all human rights. In this context, the Non-Aligned Movement renews its commitment, on this significant anniversary, to give effect to the principles enshrined in the Universal Declaration of Human Rights.

13. In promoting a world of dignity and respect for all, the international community can always count on the firm support and commitment of the Non-Aligned Movement.

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Promotion and protection of human rights:
Convention on the Rights of Persons with Disabilities

Programme budget for the biennium 2008-2009

Revised estimates resulting from the entry into force of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on revised estimates resulting from the entry into force of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (A/63/583). During its consideration of the report, the Committee met with representatives of the Secretary-General, who provided additional information and clarification.

2. The Advisory Committee notes that, in his statement on the programme budget implications of the draft resolution contained in document A/AC.265/2006/L.8/Rev.1 to the General Assembly at its sixty-first session (A/C.5/61/15), the Secretary-General informed the General Assembly that should the Convention on the Rights of Persons with Disabilities enter into force in 2007 and the Conference of States Parties to the Convention and the first session of the Committee on the Rights of Persons with Disabilities be held in 2007, the Secretariat would revert to the Assembly on meeting the conference-servicing requirements in accordance with established procedures. The Secretary-General also informed the Assembly at its sixty-first session of the financial implications, estimated at $10,031,900, that would arise were the Convention to enter into force during the biennium 2008-2009. The estimates have now been revised and amount to $2,385,700 for the biennium 2008-2009 and $14,190,400 for the biennium 2010-2011.

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II. Activities required under the Convention

3. As the Secretary-General indicated in section II of his report, the adoption of the Convention and the Optional Protocol thereto and their subsequent entry into force on 3 May 2008 has given and will give rise to the following activities:

(a) Convening of the first session of the Conference of States Parties to the Convention, which took place in New York on 31 October and 3 November 2008. At that session, it was decided that the second session of the Conference would be held in New York for a period of four days (one meeting per day) in August or September 2009;

(b) Establishment of the Committee on the Rights of Persons with Disabilities, which, at the time of entry into force of the Convention, consisted of 12 experts. After an additional 60 ratifications or accessions to the Convention, the membership of the Committee would increase to 18 members. The first election of the members of the Committee was held on 3 November 2008 at the meeting of the Conference of States Parties;

(c) Programming of the sessions of the Committee on the Rights of Persons with Disabilities, working on the assumption that the Committee would hold two five-day sessions per year at the headquarters of its substantive secretariat (the Office of the United Nations High Commissioner for Human Rights (OHCHR)) in Geneva. At its first regular session, the Committee would be expected, inter alia, to consider and adopt its rules of procedure and take a number of other decisions on the organization of its future work;

(d) Processing of reports submitted to the Committee by States parties to the Convention, which, under article 35 thereof, would be submitted within two years after the entry into force of the Convention and, subsequently, at least every four years;

(e) Receipt and consideration by the Committee, in closed meetings, of communications submitted pursuant to article 1 of the Optional Protocol by or on behalf of individuals claiming to be victims of violations of the Convention;

(f) Consideration by the Committee, under article 6 of the Optional Protocol, of alleged violations of the Convention committed by States parties. The Committee may, for that purpose, designate one or more of its members to conduct an inquiry, including, where warranted and with the consent of the State party concerned, a visit to the State party's territory;

(g) Measures taken under article 9 of the Convention to ensure accessibility of facilities and services during meetings of the Committee and of the Conference of States Parties.

III. Resources available within the programme budget for the biennium 2008-2009

4. In section III of his report, the Secretary-General outlined the resources available for activities relating to disability under section 9, Economic and social affairs, of the programme budget for the biennium 2008-2009. Those resources

provide for eight posts (1 P-5, 2 P-4, 2 P-3, 1 P-2/1 and 2 General Service (Other level)), as well as non-post resources totalling $55,000.

5. In paragraphs 18 and 19 of his report, the Secretary-General indicated that it is expected that the existing staff complement under section 9 would continue to deal with activities under the Convention, inter alia, by: providing substantive and technical services to the Conference of States Parties in cooperation with the New York office of OHCHR; preparing publications; and organizing capacity-building activities in support of the ratification and implementation of the Convention. Under section 23, Human rights, of the programme budget for the biennium 2008-2009, the Human Rights Treaties Branch of OHCHR assigns staffing on an ad hoc basis to meet the needs of the various treaty bodies as and when they arise. There is currently one P-4 staff member with thematic responsibility of disability issues. However, there are no posts dedicated specifically to matters relating to the Convention.

IV. Additional requirements under the programme budget for the biennium 2008-2009

6. In section IV of his report, the Secretary-General outlined the additional requirements under the programme budget for the biennium 2008-2009 arising from the entry into force of the Convention. A summary of the overall estimated requirements is contained in the table under paragraph 40 of the Secretary-General's report.

Section 23, Human rights

7. Under section 23, Human rights, three posts (1 P-4, 1 P-3 and 1 General Service (Other level)) are requested to provide minimal substantive and technical secretariat services to the States parties and the Committee on the Rights of Persons with Disabilities. The related costs for 2009 would amount to approximately $238,900 net. Upon enquiry, the Advisory Committee was informed that there would be no overlap between the functions of the incumbents of the three posts requested by the Secretary-General and the functions of the incumbents of the eight established posts in the Department of Economic and Social Affairs referred to in paragraph 4 above. The posts in the Department of Economic and Social Affairs will continue to deal with activities under the Convention by, inter alia, providing substantive and technical services to the Conference of States Parties, whereas the new posts proposed by the Secretary-General would be used to provide support to the Committee on the Rights of Persons with Disabilities.

8. The Secretary-General envisages that the Committee would hold two five-day sessions per year (see para. 3 (c) above). The Committee would initially comprise 12 experts but, given the requirement that the Committee members reflect a balance of experts with disabilities, it is envisaged that some experts would need to be accompanied by assistants. The related travel and per diem costs for 12 experts and 12 assistants would amount to $177,600 per session, or $355,200 per annum. An amount of $3,700 was required in 2008 for travel of staff.

9. With regard to visits to the territory of States parties for the purposes of conducting an inquiry (see para. 3 (f) above), the Secretary-General estimates that

each visit would be of at least one week's duration and would be carried out by three Committee members, accompanied by three assistants, four staff members and four interpreters. Upon enquiry, the Advisory Committee was informed that the Secretary-General's estimates are based on the assumption that four interpreters would travel with the Committee because, given that it is unlikely that victims to be interviewed would speak official languages of the United Nations, interpreters into local languages, as well as sign language(s), may be required. Thus, provision has been made for two interpreters for official languages of the United Nations and two interpreters for local languages, including sign language(s). The Secretary-General assumes that two such visits would be carried out in 2009, with the related travel and per diem costs estimated at $78,900 per visit, or $157,800 per annum. The Committee was also informed, however, that the actual requirements would be based on the specific needs of the Committee members concerned and of the victims being interviewed, as well as on the location of the visit.

10. In accordance with article 9 of the Convention, the Secretary-General estimated that specialized furniture and equipment for members of the Committee and its staff would be required. The total related one-time cost in 2009 is estimated at $51,000. As compared to the estimates previously reported for section 23, Human rights (see A/C.5/61/15, annex II), the estimates in the current report of the Secretary-General are higher, owing essentially to costing parameters in the biennium 2008-2009.

11. Under article 34 of the Convention, with the approval of the General Assembly, the members of the Committee would receive emoluments from the United Nations on such terms and conditions as the Assembly might decide. The Secretary-General expects that the provisions of General Assembly resolution 56/272, pursuant to which the level of all existing honorariums was set at $1 per year per member of the related organs, would also apply to the Committee on the Rights of Persons with Disabilities, unless the Assembly decides otherwise.

12. The Secretary-General also indicated, in paragraph 26 of his report, that dissemination of information on the Convention and the Optional Protocol would be carried out by OHCHR and the Department of Public Information of the Secretariat within their existing capacities.

13. As indicated by the Secretary-General in paragraph 27 of his report, the programmed outputs under section 23 of the programme budget for the biennium 2008-2009, subprogramme 2, Supporting human rights bodies and organs, would require modification.

Section 2, General Assembly and Economic and Social Council affairs and conference management

14. The additional requirements for the first session and the estimated additional requirements for the second session of the Conference of States Parties are set out in paragraphs 29 and 30 of the Secretary-General's report. The Advisory Committee notes, in particular, that the actual additional requirements arising from the first session, estimated at $24,800, will be reported to the General Assembly in the context of the second performance report for the biennium 2008-2009.

15. As the Secretary-General indicated in paragraph 30 of his report, the second session of the Conference of States Parties has not been programmed in advance and

therefore constitutes an addition to the United Nations calendar of meetings and conferences for 2009. The related conference-servicing costs for 2009 are estimated at $165,000 (at full cost). Those costs will be met, to the extent possible, from within existing resources under section 2.

16. The estimated additional requirements for the first and second regular sessions of the Committee on the Rights of Persons with Disabilities, each of which will last five days and will be held in 2009 at the United Nations Office at Geneva, are outlined in paragraphs 31 and 32 of the Secretary-General's report.

17. The Secretary-General indicated in his report that there have been several changes to the scope and workload of conference services in the biennium 2008-2009 as compared to those previously reported (see A/C.5/61/15, annex II). Those changes, which are described in detail in paragraph 33 of the Secretary-General's report, have resulted in lower requirements for conference-servicing resources under section 2 for the biennium 2008-2009 and a much lower requirement for documentation for the sessions of the Committee in 2009.

18. Accordingly, the revised estimate for conference services under section 2 for the biennium 2008-2009 now stands at $1,559,500, broken down into $189,800 for the first and second sessions of the Conference of States Parties, including sign-language interpretation in English and selected documentation in Braille, and $1,369,700 for the first two sessions of the Committee in 2009 with sign-language interpretation in all six official languages and full documentation in Braille.

19. Upon enquiry, the Advisory Committee was informed that, since the Department for General Assembly and Conference Management does not have in-house capacity for sign-language interpretation or the production of documents in Braille, the estimated additional requirements for the biennium 2008-2009 arising from the production of documentation in Braille would amount to $213,900 for the Committee on the Rights of Persons with Disabilities and $2,800 for the Conference of States Parties. The estimated additional requirements for the biennium 2008-2009 arising from the hiring of sign-language interpreters would amount to $368,800 for the Committee on the Rights of Persons with Disabilities and $7,000 for the Conference of States Parties.

Section 28, Management and support services

20. As the Secretary-General indicated in paragraph 36 of his report, the central support services requirements in connection with conference servicing, including provision of sound technicians and clerical support, are estimated at: (a) $2,000 under section 28D, Office of Central Support Services, for each meeting of the Conference of States Parties; and (b) $3,800 per session of the Committee under section 28E, Administration, Geneva, of the programme budget for the biennium 2008-2009. For the current biennium, the total requirements of $19,600 will be met from within existing resources provided for the biennium 2008-2009 under those sections.

21. The Secretary-General estimates that requirements arising from arrangements to ensure accessibility of facilities and services with regard to the meetings of the Committee and of the Conference of States Parties would be met, to the extent possible, within existing resources, in accordance with General Assembly decision 56/474. The Secretary-General also indicated in his report that requirements arising

in relation to measures taken to ensure compliance with article 9 of the Convention would be taken into account during further consideration of the renovation of the United Nations facilities. **The Advisory Committee recommends that the General Assembly request the Secretary-General to take the necessary steps to ensure that United Nations facilities worldwide are accessible to persons with disabilities.**

Section 35, Staff assessment

22. The Secretary-General indicated in paragraph 39 of his report that the proposals for the three new posts included under section 23, Human rights, for the biennium 2008-2009 would give rise, as from 2009, to additional requirements of $40,800 under section 35, Staff assessment. That provision would be offset by a corresponding amount under income section 1, Income from staff assessment.

V. Conclusion

23. The action required of the General Assembly is set out in paragraph 44 of the Secretary-General's report.

24. **The Advisory Committee recommends that the General Assembly:**

(a) **Take note that the total estimated additional requirements of $2,385,700 arising from the entry into force on 3 May 2008 of the Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto relate to: section 2, General Assembly and Economic and Social Council affairs and conference management ($1,559,500); section 23, Human rights ($806,600); section 28D, Office of Central Support Services ($12,000); section 28E, Administration, Geneva ($7,600); and section 35, Staff assessment ($40,800), offset by an equivalent amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2008-2009, to be met as proposed under subparagraphs (b) and (c) below;**

(b) **Take note of the proposal of the Secretary-General that, of the total additional requirements, the amount of $1,414,100 ($1,394,500 under section 2, General Assembly and Economic and Social Council affairs and conference management; $12,000 under section 28D, Office of Central Support Services; and $7,600 under section 28E, Administration, Geneva, of the programme budget for the biennium 2008-2009) would be met from within the resources already appropriated under the programme budget for the biennium 2008-2009; and authorize the Secretary-General to report, as necessary, within the context of the second performance report on the programme budget for the biennium 2008-2009;**

(c) **Approve the proposals of the Secretary-General, which give rise to additional requirements of: $165,000 under section 2, General Assembly and Economic and Social Council affairs and conference management; $806,600 under section 23, Human rights; and $40,800 under section 35, Staff assessment, offset by an equivalent amount under income section 1, Income from staff assessment, on the understanding that such appropriations as may be necessary will be requested in the context of the consolidated statement of all**

statements of programme budget implications and revised estimates for the biennium 2008-2009;

(d) Take note of the proposed modifications to the outputs to be incorporated into the programme of work under section 23, Human rights, of the programme budget for the biennium 2008-2009 under subprogramme 2, Supporting human rights bodies and organs, as reflected in paragraph 27 of the Secretary-General's report.

25. The Advisory Committee notes that, in paragraph 44 (e) of his report, the Secretary-General requested the General Assembly to take note of his proposals for the biennium 2010-2011. **In the Committee's view, the appropriate vehicle for those proposals is the proposed budget outline for the biennium 2010-2011. The Committee further stresses that approval by the General Assembly of the Secretary-General's proposals relating to additional requirements for the biennium 2008-2009 should not be seen as prejudging in any way the outcome of consideration of the proposed programme budget for the biennium 2010-2011.**

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Report of the Human Rights Council

Programme budget for the biennium 2008-2009

Revised estimates resulting from resolutions and decisions adopted by the Human Rights Council at its seventh, eighth and ninth sessions in 2008, proposals to improve the procedure for presenting to the General Assembly the financial requirements arising from the resolutions and decisions of the Council, and a consolidated statement on resolutions and decision adopted by the Human Rights Council following its continuing review of its subsidiary machinery and its related programme budget implications

Report of the Advisory Committee on Administrative and Budgetary Questions

I. Introduction

1. The Advisory Committee on Administrative and Budgetary Questions has considered the reports of the Secretary-General on the revised estimates resulting from resolutions adopted by the Human Rights Council at its seventh, eighth and ninth sessions in 2008, as well as proposals to improve the procedure for presenting to the General Assembly the financial requirements arising from the resolutions and decisions of the Council (A/63/541 and Add.1). The Committee has also considered the report of the Secretary-General on the consolidated statement on the resolutions and decisions adopted by the Council following its continuing review of its subsidiary machinery and its related programme budget implications (A/63/587). During its consideration of the reports, the Committee met with representatives of the Secretary-General, who provided additional information and clarification.

2. **The Advisory Committee regrets that the three reports of the Secretary-General did not provide a clear and concise presentation of requirements and their background.** The Committee has therefore endeavoured to provide the

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General Assembly with a succinct understanding of both the requirements and the Committee's recommendations in the present report. **The Committee trusts that subsequent annual reports will be clearer (see para. 10 below).**

3. The Advisory Committee notes that, at its sixty-second session, the General Assembly adopted a number of resolutions that have a bearing on requirements resulting from resolutions and decisions adopted by the Human Rights Council (see General Assembly resolutions 62/236, part VI; 62/238, sect. VI; and 62/245, sect. I). In part VI of its resolution 62/236, the General Assembly, inter alia, requested the Human Rights Council to exercise greater financial discipline through endeavours such as seeking the most cost-effective measures to implement its mandates.

II. Additional requirements relating to the resolutions adopted by the Human Rights Council at its seventh and eighth sessions

4. As indicated in paragraph 2 of the Secretary-General's report (A/63/541), the additional requirements resulting from resolutions and decisions adopted by the Human Rights Council at its seventh and eighth sessions in 2008 are estimated at $6,889,800. Of that total, provision in the amount of $3,687,500 has been made in the programme budget for the biennium 2008-2009 for activities considered of a perennial nature; $1,935,900 will be accommodated, to the extent possible, from within existing appropriations for the biennium 2008-2009, while the remaining amount of $1,266,400 is proposed to be considered in the context of a consolidated statement of requirements following the Council's review of its subsidiary machinery (see para. 17 below). Detailed information with respect to the requirements under each resolution and/or decision is contained in section II of the Secretary-General's report. Annexes I and II of the report provide a summary of all revised estimates reports since the first session of the Council in 2006, as well as a summary of the requirements resulting from resolutions of the Council at its seventh and eighth sessions.

5. The action to be taken by the General Assembly in connection with the additional requirements of the programme budget for the biennium 2008-2009 is indicated in paragraphs 103 and 104 of the Secretary-General's report (see para. 17 below).

III. Procedure to improve the presentation of financial implications arising from resolutions and decisions of the Human Rights Council

6. In response to the request by the General Assembly (resolution 62/245, sect. I, para. 5) on the recommendation of the Advisory Committee (A/62/7/Add.34, para. 8), the Secretary-General has reviewed various mechanisms currently in place for the administrative and financial functioning of the United Nations with a view to improving the presentation to the General Assembly of financial implications arising from resolutions and decisions of the Human Rights Council (A/63/541, paras. 87 to 91).

7. In his report, the Secretary-General focused on the following:

(a) **The procedures for treatment of the revised estimates resulting from resolutions and decisions adopted by the Economic and Social Council.** Under those procedures, an annual report with regard to revised estimates is submitted to the General Assembly at its main session (ibid., para. 92);

(b) **Expenditures of a perennial character in accordance with General Assembly resolution 41/213, annex I, paragraph 7.** Efforts have been made to include reasonably predictable requirements in the Secretary-General's proposed programme budget so as to reduce the need to present additional requirements through revised estimates or statements of programme budget implications. This practice has been applied to the mandates that have been extended by the Human Rights Council. However, with regard to the newly established mandates and bodies, some of the expenditures have been met from within existing resources and some have been reported within the context of the performance report for the respective biennium concerned. Annex III of the Secretary-General's report contains information with respect to subsidiary machinery extended, terminated and newly established by the Human Rights Council (see also A/63/541, para. 93);

(c) **The treatment of requirements for special missions.** The Human Rights Council has held seven special sessions since its inception. For the biennium 2006-2007, the Council mandated a special mission at each of the first five special sessions, with total additional requirements of $1,089,200 that were accommodated from within existing resources. For the biennium 2008-2009, it is anticipated that additional requirements will either be met from within existing resources or be reported in the performance report. The Secretary-General indicated that the current absorptive capacity of the programme budget is not likely to continue when the activities of the Council are fully implemented in a timely manner and when the posts approved for the Office of the United Nations High Commissioner for Human Rights (OHCHR) are fully encumbered (ibid., paras. 94 to 95);

(d) **The procedures for unforeseen and extraordinary expenses.** According to the Secretary-General, by their very nature, some of the activities undertaken in implementation of human rights measures are unpredictable and some could fall under unforeseen and extraordinary expenses as relating to maintenance of peace and security. In this connection, the Advisory Committee notes that the General Assembly did not approve, at its sixty-second session, a proposal by the Secretary-General (see A/62/125), which would have authorized him to enter into commitments of up to $2 million during a biennium to meet unforeseen and extraordinary expensed arising from human rights measures (ibid., paras. 96 to 97).

8. The Secretary-General has proposed that hereafter the revised estimates arising from the adoption of the resolutions and decisions by the Human Rights Council should be presented annually to the General Assembly at its main session (ibid., para. 98). Additional requirements that may arise, excluding those relating to special human rights missions should, to the extent possible, be accommodated from within the level of resources approved for any given biennium and reported in the context of the performance report. He further proposed that the additional resources arising from mandates relating to special missions that cannot be accommodated from within existing resources should be dealt with in accordance with the provisions of General Assembly resolution 41/213 (ibid., para. 99). The Secretary-General also indicated that his proposals may have to be reconsidered following the review to be

undertaken in 2011 in accordance with paragraph 16 of General Assembly resolution 60/251, by which the Assembly decided that the Council should review its work and functioning five years after its establishment and report to the General Assembly (ibid., para. 101).

9. The action to be taken by the General Assembly in connection with the procedure for presenting the financial requirements arising from resolutions and decisions of the Human Rights Council is indicated in paragraphs 105 (a) to (c) of the Secretary-General's report (A/63/541), in accordance with General Assembly resolution 62/245.

10. **The Advisory Committee sees merit in an annual presentation to the General Assembly of the revised estimates arising from adoption of the resolutions and decisions by the Human Rights Council as proposed in paragraph 105 (a). However, the Committee is of the view that the proposals concerning additional requirements as set out in paragraphs 98, 99, and 105 (b) of the Secretary-General's report require greater clarity in presentation and further elaboration and study. Accordingly, the Committee recommends that the current modalities for consideration of the financial requirements arising from resolutions and decisions of the Council be maintained, albeit on an annual basis, and that they be comprehensively reviewed in the context of the proposed programme budget for the biennium 2010-2011.**

IV. Additional requirements relating to the resolutions adopted by the Human Rights Council at its ninth session

11. As indicated in the summary of the Secretary-General's report (A/63/541/Add.1) the additional requirements resulting from resolutions and decisions adopted by the Human Rights Council at its ninth session in 2008 are estimated at $2,149,300. Of this total, an amount of $1,681,700, which is for activities considered of a perennial nature, has been provided for in the programme budget for the biennium 2008-2009. The remaining amount of $467,600 will be absorbed, to the extent possible, and addressed in the context of the second performance report for the biennium 2008-2009 (ibid., para. 3). A summary of the additional requirements are contained in annex I of the Secretary-General's report, and detailed information on requirements under each resolution and/or decision is provided in section II of the same report.

12. Information with respect to Human Rights Council decision 9/103 on strengthening of the Council is provided in paragraphs 4, 23 and 24 of the report, including proposed increase in conference and information servicing capacity as well as the proposed establishment of an Office of the President of the Council. The requirements resulting from decision 9/103 are included as annex II of the Secretary-General's report for information only.

13. The action to be taken by the General Assembly in connection with the additional requirements of $467,600 under sections 2, 23 and 28E of the programme budget for the biennium 2008-2009 is indicated in paragraph 27 of the Secretary-General's report. **The Advisory Committee recommends that the General Assembly approve the additional requirements of $467,600 under sections 2, 23 and 28E of the programme budget for the biennium 2008-2009, to be met from**

within the resources appropriated under the programme budget for the biennium 2008-2009.

V. Additional requirements arising from the continuing review by the Human Rights Council of its subsidiary machinery

14. The report of the Secretary-General (A/63/587) contains a consolidated statement of requirements arising from the continuing review by the Human Rights Council of its subsidiary machinery, in accordance with a request of the General Assembly in its resolution 60/251 (ibid., paras. 3 to 4). According to OHCHR, the institution-building phase of the Human Rights Council has now been completed (ibid., para. 8).

15. The annex to the Secretary-General's report provides a summary of the overall requirements, totalling $21,107,600, arising from resolutions and decisions of the Council at its first through ninth sessions, and its first through fifth special sessions, excluding those requirements indicated in paragraph 9 of the Secretary-General's report. The breakdown of these requirements for the biennium 2006-2007 ($8,433,400) and for 2008-2009 ($12,674,200) is contained in paragraphs 11 to 13 of the report.

16. For the biennium 2008-2009, of the total estimated requirements of $12,674,200, provisions in the amount of $5,369,200 have been made in the programme budget for the biennium 2008-2009, while the amount of $5,571,900 will be absorbed within the approved appropriations for the biennium, leaving a balance of $1,733,100. The Secretariat indicates that it is not able to identify areas from which resources could be redeployed for this balance (ibid., paras. 12 and 14). A summary of these requirements of $1,733,100 arising from resolutions adopted at the sixth, seventh and eighth sessions of the Human Rights Council is provided in the table under paragraph 17 of the Secretary-General's report.

17. The Advisory Committee notes that the additional requirements of $1,733,100 comprise the following:

(a) An amount of $466,700 relating to the fifth special session (A/63/587, annex, and resolution 62/245, sect. I, para. 3);

(b) An amount of $1,266,400 relating to the seventh and eighth sessions (A/63/587, annex, see also para. 4 above).

These amounts were not sought at the time when the Secretary-General's reports (A/62/671 and A/63/541) were submitted, on the understanding that the additional requirements would be considered within the context of this consolidated statement of requirements arising from the continuing review by the Human Rights Council of its subsidiary machinery (A/63/587, para. 13).

18. The Advisory Committee further notes that, for the biennium 2010-2011, an estimated requirement of $1,414,300 will be considered in the context of the proposed programme budget (ibid., para. 17).

19. The action to be taken by the General Assembly in connection with the additional requirements of $1,733,100 under sections 2, 23, 28E, 35 and 1 of the programme budget for the biennium 2008-2009 is indicated in paragraphs 18 and 20

of the Secretary-General's report. The amount represents requirements under: (a) section 2, General Assembly and Economic and Social Council Affairs and conference management ($70,800); (b) section 23, Human rights ($1,658,300); (c) section 28 E, Administration, Geneva ($4,000); and (d) section 35, Staff assessment ($108,400), to be offset by an equivalent amount of $108,400 under section 1, Income from staff assessment. The Secretary-General indicated that, while every effort would be made to accommodate these requirements from within the approved appropriations under the programme budget for the biennium 2008-2009, the extent to which the additional requirements would need additional appropriation for the biennium 2008-2009 would be determined in the context of the consolidated statement of programme budget implications and revised estimates for 2008-2009 to be submitted to the General Assembly towards the end of the main part of the sixty-third session, together with the proposals on the utilization of the contingency fund for these additional requirements.

20. **The Advisory Committee recommends that the General Assembly approve the additional requirements of $1,733,100 for the biennium 2008-2009 as described in paragraph 19 above, on the understanding that any appropriations as may be necessary will be requested in the context of the consolidated statement of programme budget implications and revised estimates for 2008-2009 relating to the use of the contingency fund.**